



United States Attorney  
Southern District of New York

## MEMORANDUM ENDORSED

86 Chambers Street  
New York, New York 10007

May 9, 2008

BY FAX

Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street, Room 510  
New York, New York 10007-1312

Re: Frank Menschel v. Astrue  
07 Civ. 5629 (PAC) (GWG)

Dear Magistrate Judge Gorenstein:

This Office represents the Commissioner of Social Security, defendant in this action. I write respectfully to request an extension of time to file defendant's motion for judgment on the pleadings.

Pursuant to the court's order of March 26, 2008, defendant's motion is due to be served and filed on or before Monday, May 12, 2008; plaintiff's response is due on or before June 11, 2008; and defendant's reply is due on or before June 25, 2008. I have recently been assigned to this matter and have not yet been able to complete my review of the record. Accordingly, I respectfully request a thirty-day extension of time to file defendant's motion, until June 11, 2008, and accordingly, a thirty-day extension of plaintiff's time to file his response, to July 11, 2008, and a thirty-day extension of time to file defendant's reply, to July 25, 2008. This is the government's first request for an adjournment of the briefing schedule. Plaintiff has kindly consented to this request.

Thank you for your consideration of this matter.

Respectfully,

MICHAEL J. GARCIA

United States Attorney

By:

Susan C. Branagan  
SUSAN C. BRANAGAN

Assistant United States Attorney

Telephone: (212) 637-2804

Fax: (212) 637-2750

SO ORDERED

DATE: 5/9/08

GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE

cc: Frank Menschel, Pro Se